

## SCHEDULE 2

### Modifications

## Part VIII

### Construction (Head Protection) Regulations (Northern Ireland) 1990<sup>(1)</sup>

21. After regulation 4(2) there shall be inserted—

“(3) Any head protection provided by virtue of this regulation shall comply with any statutory provision which implements in Northern Ireland any provision on design or manufacture with respect to health or safety in any relevant Community Directive listed in Schedule 1 to the Personal Protective Equipment at Work Regulations (Northern Ireland) 1993 which is applicable to that head protection.

(4) Before choosing head protection, an employer or self-employed person shall make an assessment to determine whether it will be suitable.

(5) The assessment required by paragraph (4) shall involve—

- (a) the definition of the characteristics which head protection must have in order to be suitable; and
- (b) a comparison of the characteristics of the protection available with the characteristics referred to in sub-paragraph (a).

(6) The assessment required by paragraph (4) shall be reviewed if—

- (a) there is reason to suspect that it is no longer valid; or
- (b) there has been a significant change in the matters to which it relates,

and, where, as a result of the review, changes in the assessment are required, the relevant employer or self-employed person shall make them.

(7) Every employer and every self-employed person shall ensure that appropriate accommodation is available for head protection provided by virtue of these Regulations when it is not being used.”.

22. For regulation 7(4), there shall be substituted—

“(4) Every employee or self-employed person who is required to wear suitable head protection by or under these Regulations shall—

- (a) make full and proper use of it; and
- (b) take all reasonable steps to return it after use to the accommodation provided for it.”.

23. In regulation 9(2), the full stop at the end shall be omitted and there shall be added “and that any provision imposed by the European Communities in respect of the encouragement of improvements in the safety and health of workers at work will be satisfied.”.